

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

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|----------------------------------|---|------------------|
| UNITED STATES OF AMERICA, |) | |
| |) | |
| Plaintiff, |) | 8:08CR222 |
| |) | |
| vs. |) | ORDER |
| |) | |
| NANCY MARTIN PEREZ and |) | |
| EDDIE GARCIA, |) | |
| |) | |
| Defendants. |) | |

This matter is before the court on the motion to extend time to file pretrial motions by defendant Eddie Garcia (Garcia) (Filing No. 41) and the motions to suppress by Garcia (Filing No. 42) and defendant Nancy Martin Perez (Perez) (Filing No. 31). Garcia's motion to file a motion to suppress out of time (Filing No. 41) will be granted. The hearings on Garcia's and Perez's motions to suppress will be consolidated.

IT IS ORDERED:

1. Garcia's motion to extend time (Filing No. 41) is granted.
2. Garcia's motion to suppress (Filing No. 42) and Perez's motion to suppress (Filing No. 31) are consolidated and scheduled for hearing before the undersigned magistrate judge at **9:00 a.m. on September 3, 2008**, in Courtroom No. 7, Second Floor, Roman L. Hruska United States Courthouse, 111 South 18th Plaza, Omaha, Nebraska.
3. Counsel are reminded of the requirements of NECrimR 12.5 which provides as follows:
 - (a) **Witnesses.** At the time of the hearing, and to the extent reasonably possible, the parties shall submit to the judge and courtroom deputy a written list of all witnesses whom the parties expect to call.
 - (b) **Exhibits.** At least twenty-four (24) hours before the hearing, each party shall mark the exhibits that party intends to introduce into evidence at the hearing, and provide a copy to counsel for all other parties and to the presiding judge. Exhibits should be marked as follows: government's exhibits

beginning at Number 1 and defense exhibits beginning at Number 101.

4. Garcia's request to submit a post-hearing brief (Filing No. 42) is granted. The court shall establish a post-hearing briefing schedule for all parties at the conclusion of the evidentiary hearing set forth above.

DATED this 5th day of August, 2008.

BY THE COURT:

s/Thomas D. Thalken
United States Magistrate Judge